

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MIKE YELLEN,

Plaintiff,

vs.

BOYD GAMING,

Defendant.

Case No. 2:10-cv-01976-JCM-PAL

**ORDER**

(IFP App - Dkt. #1)

Plaintiff Mike Yellen is proceeding in this action *pro se*, has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*, and submitted a Complaint (Dkt. #1) on November 12, 2010. This proceeding was referred to this court by Local Rule IB 1-9. Plaintiff has submitted the affidavit required by § 1915(a), and it appears his liabilities exceed his assets, and he is unable to prepay fees and costs or give security for them. However, Plaintiff states that he has received income from other sources, but he does not describe the source or amount of the money or what he expects to receive in the future as required in Item 3. Thus, the court cannot determine whether Plaintiff qualifies to proceed *in forma pauperis*.

Accordingly,

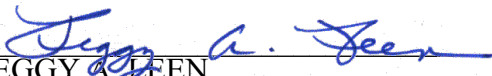
**IT IS ORDERED:**

1. Plaintiff's Application to Proceed *In Forma Pauperis* (Dkt. #1) is DENIED WITHOUT PREJUDICE.
2. The Clerk of Court shall retain the Complaint and mail Plaintiff a new Application to Proceed *In Forma Pauperis* for non-incarcerated litigants.
3. Plaintiff shall have until **December 24, 2010**, in which to file the completed Application to Proceed *In Forma Pauperis*.

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- 2 4. Failure to comply with this Order will result in a recommendation to the district judge
- 3 that Plaintiff's Complaint be dismissed without prejudice.

4 Dated this 24th day of November, 2010.

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PEGGY A. LEEN  
7 UNITED STATES MAGISTRATE JUDGE

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